

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CLARENCE EVANS,

Plaintiff,

-against-

CO ATKINS, *et al.*,

Defendants.

24-CV-927 (CS)

ORDER

CATHY SEIBEL, United States District Judge:

The Court is in receipt of Plaintiff's letter dated July 25, 2024. The Court issues this Order to clarify the instructions provided in the Order of Service, dated June 24, 2024. (ECF No. 18 ("Order of Service").)

The Attorney General has until 60 days from the date of the Order of Service to identify the John Doe defendants. Within 30 days of receiving this information, Plaintiff should file a second amended complaint naming the John Doe defendants. In the second amended complaint, which will completely replace the original and amended complaints, Plaintiff should also spell out specifically the allegations against Hutchins, Barlow, and John Doe 4 if he intends to assert claims against them.

Plaintiff should file the second amended complaint using the amended complaint form attached to the Order of Service. The Order of Service sets forth instructions about the information that Plaintiff must provide in the second amended complaint. (*See* Order of Service at 8-9.)

In the Order of Service, the Court dismissed the claims against Hutchins, Barlow, and John Doe 4 for failure to state a claim, but erroneously instructed the Clerk of Court to terminate

John Doe 1. The Clerk of Court is directed to reopen the case as to John Doe 1 and terminate John Doe 4.

CONCLUSION

The Clerk of Court is directed to mail a copy of this order to Plaintiff.

The Clerk of Court is directed to mail another copy of the Order of Service (ECF No. 18) to Plaintiff.

The Clerk of Court is further instructed to reopen the case as to John Doe 1 and terminate John Doe 4.

The Clerk of Court is also directed to mail a copy of this order to the New York State Attorney General at: Managing Attorney's Office, 28 Liberty Street, 16th Floor, New York, NY 10005.

SO ORDERED.

Dated: August 7, 2024
White Plains, New York

A handwritten signature in black ink that reads "Cathy Seibel". The signature is written in a cursive, flowing style.

CATHY SEIBEL
United States District Judge